

NOTE: These minutes do not constitute a verbatim transcription of the CPC meeting.

**CITY PLANNING COMMISSION
REGULAR MEETING
September 8, 2005**

APPROVED

Call to Order: The meeting was called to order by Chairperson Arthur Simons in the Committee of the Whole Room, 13th Floor of the Coleman A. Young Municipal Center, at 4:50 PM.

Roll Call: Present at the meeting were Commissioners Cason, Christensen, Glaser, Glenn, Jeffrey, Simons, Wendler and Williams. Absent were Commissioners Glaser (excused), Smith and Wendler (excused).

Agenda: The Agenda was approved as submitted.

Minutes: ACTION: Commissioner Cason moved to approve the minutes of the Regular Meeting of August 4, 2005.
Commissioner Glenn seconded the motion.
Motion carried.

PUBLIC HRG.--

Request of Greater Corktown Community Dev. Corp. and CPC staff to rezone west side of Trumbull between MLK Blvd. and Ash from R4 to B2: A public hearing was held on the request of Greater Corktown Community Development Corporation (GCDC) and the CPC staff to rezone property generally located on the west side of Trumbull Avenue between Martin Luther King Jr. Blvd. and Ash St. from an R4 (Thoroughfare Residential District) zoning classification to a B2 (Local Business and Residential District) zoning classification.

CPC staff member Heidi Alcock reviewed the background information, surrounding zoning and land use, and development.

The GCDC had requested the amendment for property generally located on the west side of Trumbull between Ash St. and Sycamore St. to permit the construction of a three-story mixed-use structure to include 6 first-floor retail spaces and 22 one-bedroom affordable loft-style apartments on the second and third floors to be financed by low-income housing tax credits as well as foundations and other private sources.

In addition, the City Planning Commission staff proposed that the rezoning be extended to include all the properties on the west side of Trumbull Ave. from Ash to Martin Luther King Jr. Blvd. in order to achieve a more consistent zoning pattern for the area and to reinforce the new land use proposed by Greater Corktown Development Corporation

The size of the area proposed for rezoning, including both the GCDC and CPC staff proposals, totals 1.46 acres. All of the subject area is currently designated R4 (Thoroughfare Residential District) and consists of vacant lots, one occupied residential structure, and a church (Trinity Episcopal Church). One of the vacant lots, the residential structure, and

church have different property owners. All of them were notified about the proposed zoning change and tonight's public hearing. The City of Detroit owns the other two vacant lots, and Greater Corktown Development Corporation will be able to finalize purchase of the lots once the land is properly zoned.

The six retail units would range in size from 730 to 900 square feet; the 22 residential units would range in size from 610 to 920 square feet. Twelve garages are proposed on the first level behind the retail spaces. Seventeen surface lot parking spaces are also proposed.

The Planning & Development Department (P&DD) is hoping that the zoning approvals will be obtained by the end of November so that a closing on the land sale could occur by the end of the year. The GCDC plans to submit a tax credit application in Spring 2006.

The existing and recommended land use maps in the Master Plan designate the area as RM (Medium Density Residential). The generalized rezoning concept shows R4 (Thoroughfare Residential District). The Cluster 4 CRS report shows multi-family townhomes for the subject area.

The current plans for the project do not meet the Zoning Ordinance's setback and parking requirements. GCDC will be required to go before the Board of Zoning Appeals (BZA) prior to the issuance of a building permit. In a B2 zoning classification, lofts and multiple family dwellings are permitted on a conditional basis and require a departmental hearing at the Buildings and Safety Engineering Dept. (B&SE). Generally, the B2 zoning classification would allow retail and commercial uses by-right including art galleries, ATM's, bake shops, banks, barber or beauty shops, customer service centers, dry cleaners, greenhouses, medical/dental clinics, nail salons, business or professional offices, parking, pet shops, dance studios, and veterinary clinics. Retail/commercial uses permitted on a conditional basis include banks, customer service centers with drive-thrus, B&B's, hotels, motels, funeral homes, printing shops (not exceeding 6,00 square feet), radio or TV stations, restaurants and specially designated distributor's (SDD) or specially designated merchant's (SDM) establishments.

The CPC office did not receive any correspondence in support of or in opposition to the request.

Commissioner Williams questioned whether the proposal would "zone out" any existing uses. Ms. Alcock noted that if the rezoning is approved, the existing residential structure located on the northwest corner of Ash and Trumbull would become a conditional use requiring a B&SE department hearing for future expansions. No non-conforming uses would result from the change in zoning.

CPC staff responded to questions regarding access to the 12 garages and provisions for visitor parking.

Commissioner Williams inquired as the reasons for pursuing a rezoning classification for a new development resulting in the petitioner obtaining approval on a conditional use basis. At what point would the developer seek the approval of B&SE? Ms. Alcock noted that only the residential use would be conditional in the B2 district. The petitioner would have to obtain approval from the B&SE to allow the use. Upon questioning, Ms. Bruhn noted that once approval is obtained from the B&SE, the petitioner would be able to rent the units as residential. Ms. Bruhn noted that under the Zoning Ordinance, efforts had been made to permit commercial and residential uses together. However, approval of the residential component is not automatic in order to assure compatibility between the uses.

Commissioner Glenn inquired as to the number of residences in the area. Ms. Alcock pointed out the residential including an area west of Trumbull and scattered residential structures to the west of the subject site. The GCDC has prepared a community development plan for the area and has started to build new residential structures.

Commissioner Glenn questioned whether the proposal would interfere with existing residential structures. Ms. Alcock responded negatively.

Commissioner Glenn cited the recent Supreme Court ruling supporting the taking of property for private purposes. He felt that if the rezoning were approved, the Commission would be supporting a taking of land.

Commissioner Cason expressed concern regarding the design of the structure citing a lack of aesthetics. He felt that the developers should take advantage of the opportunity to bring up the neighborhood. He cited what other cities are doing, such as Seattle.

Scott Martin of the GCDC noted that the Corporation employed the services of the architectural firm Archives DS to design the building. Mr. Martin explained the design in context with existing structures and in line with budget constraints. The building is very attractive featuring red brick, stone cinder block, and large windows. The first floor storefronts are discernible from the apartments.

Commissioner Jeffrey noted that the City would be seeing the development of a lot more mixed-use projects in order to attract commercial. He expressed support for the GCDC's efforts and the design of the structure incorporating commercial and residential. Ms. Bruhn agreed that there is too much commercial frontage in the City. The Master Plan attempts to encourage more residential on the second level of commercial buildings in order to place residents near shopping areas.

Commissioner Jeffrey noted that he had spoken to a trustee of Trinity Church who expressed support for rezoning.

Commissioner Jeffrey stated that the rezoning does not represent a case of eminent domain.

Commissioner Williams disagreed with Commissioner Cason in that the design of the building does represent how Detroit used to look. The design is creative by providing a combination of shopping and housing.

Commissioner Williams felt that given the Supreme Court's ruling on eminent domain, the CPC should request to receive from City Council an interpretation as to what the Commission can and cannot do.

In response to Commissioner Christensen, Ms. Alcock noted that the City would see a rise in the number of requests for rezoning because the Zoning Ordinance no longer allows the granting of use variances.

Bruce Evans of the P&DD noted that the Department is reviewing the proposal's consistency with the Master Plan. The Department does not foresee a problem with conformance. An interpretation will be forwarded to the CPC as soon as possible.

Mr. Martin cited GCDC's efforts to create an urban village and "cool cities" initiatives. The GCDC has taken a wholistic approach to development. Recent development in the area included single-family homes and pocket parks.

The following person spoke at the public hearing.

Rev. Matthew Bode, Trinity Church, 1519 Martin Luther King Blvd., expressed support for the project. Rev. Bode welcomed retail uses to the area and the development efforts of GCDC. He inquired as to whether the rezoning would result in any new restrictions on the Church, such as parking. CPC staff responded negatively.

Commissioner Williams requested the scheduling of a discussion on the impact of the Supreme Court's ruling regarding the taking of property for private purposes. Commissioner Glenn cited the need for an interpretation by a professional.

The matter was taken under advisement.

PUBLIC HRG. Request of Oakland Investment Co. to rezone area of Pfent, Anvil, Alwar and Lappin from R1 to B4: A public hearing was held on the request of Oakland Investment Co. to rezone property in the area generally bounded by Pfent, vacated Anvil, Alwar, and Lappin and the area generally bounded by Anvil, Pfent, the alley north of Pfent and a line approximately 200 feet west of Anvil from R1 (Single Family Residential District) to B4 (General Business District).
CPC staff member Gregory Moots reviewed the background information and surrounding zoning and land use and presented CPC staff's initial analysis.

The site presently contains a Department of Human Services District Office and its parking lot on the portion of the subject property south of Pfent and additional parking for the office on the portion north of Pfent. This use was allowed in the residentially-zoned area via a Board of Zoning Appeals (BZA) grant. The petitioner now wishes to rezone the property to

a zoning district that is consistent with the current use and surrounding commercial uses. No change to the existing use is anticipated at this time.

The subject site is in the Mt. Olivet subsector of the Northeast Sector of the Master Plan. The Master Plan appears to show RL (Low Density Residential) as the Future Land Use for the subject site. The Generalized Rezoning Concept for the area appears to be R1 (Single Family Residential District). The proposed rezoning appears to be inconsistent with the Master Plan.

CPC staff noted that the areas to the south and east are developed commercially, and it seemed reasonable for the portion of the subject property south of Pfent to be considered for rezoning to allow the existing use and other commercial uses. The organizations, Detroit Community Initiative and Northeast Village Collaborative, suggested that a more appropriate zoning classification would be B2, a less intense commercial zoning classification than the B4 being proposed. B2 does not allow the current governmental services center use, but it is allowed to continue in perpetuity under the BZA grant. The B2 district allows a variety of retail and office uses, while making those uses that are more intense, such as carry-out restaurants, conditional and not permitting uses such as gas stations.

The organizations recommended that the portion of the subject property north of Pfent which contains the parking lot be rezoned to P1 (Open Parking District). CPC staff noted that the site is surrounded on three sides by residential development. The P1 district would allow this property to be used for parking, but not for any commercial uses that could further impact the residents.

The CPC office received four letters in response to the public hearing notice. Three of the letters expressed support and one recommended the B2/P1 alternative.

CPC staff showed photos of the subject area.

Murray D. Wikol, President, Oakland Investment Company, explained the history of attempts to redevelop the Gratiot/E. Seven Mile area beginning with initiatives under Mayor Archer's administration. The area contained dilapidated houses and high crime rate. Redevelopment efforts brought in a Kroger's grocery store on the former site of a State of Michigan Family Independence Agency. The State office had been located on that site for 23 years. Other than Oakland Investment Co., no other developers stepped forward to develop the area. Oakland Investment, in partnership with the State and City, constructed a new State facility in June 2001. The facility is comprised of brick and features a masonry fence. The State operates 23 programs out of that building.

Mr. Wikol cited the Company's desire for the zoning to be consistent with current use and surrounding commercial uses. He felt that the B4 zone was appropriate but would support the B2/P1 alternative suggested by the Detroit Community Initiative.

Bruce Evans of the Planning & Development Department (P&DD) noted that the Department has not yet rendered a decision on the consistency of the proposal with the Master Plan. An interpretation will be forwarded to the Commission in the future. Upon

questioning, Mr. Evans noted that the Master Plan was amended to allow the development of the Kroger's grocery store.

In response to Commissioner Williams, Mr. Moots noted that the only zoning classification that must be in compliance with the Master Plan is PD (Planned Development District).

Commissioner Williams expressed support for the current use of property. He questioned what would happen if the property is rezoned and then the State facility decides to move out of the area. Mr. Moots noted the site could be developed as office or retail use.

The following persons spoke at the public hearing.

Patricia A. Nevitt, 19303 Alwar, expressed concerns. Ms. Nevitt inquired as to the reasons for the rezoning and explanation of R1 and B4 zoning classifications. Ms. Nevitt noted that the petitioner has not repaired the streets that were torn up at the time of construction of the new State facility. What good is it for businesses to come in if the streets are not repaired?

Patricia Sawyer, 19321 Hoyt, inquired as to the impact of the rezoning on the residential. Mr. Moots noted that only the petitioner's property is being rezoned. No residential properties are being rezoned. Ms. Bruhn pointed out that although no residential property is being rezoned, the neighbors could be affected by commercially zoned property. If the Family Independence Agency moves from the site, a commercial use, such as a beauty shop, could be established on the site. The petitioner is not seeking a change in the use of the building.

Imogena Piorkowski, 14011 Pfent, expressed concern that she might lose her house as a result of the rezoning. She emphasized that she cannot afford to purchase a new house. CPC staff emphasized that no houses are being acquired.

Rosalind Fuqua, 14021 Pfent, expressed concern. The residents were not notified at the time the new FIA facility was being constructed a few years ago. The streets were destroyed at the time of construction for the new building. Commissioner Williams felt the rezoning would be advantageous for the residents since it would allow small retail or office uses on the site should the FIA ever vacate the building. As to the streets, he suggested that the residents circulate and sign petitions to pressure the Department of Public Works to repair them.

Commissioner Jeffrey requested CPC staff to meet with the residents to explain the rezoning proposal and its impact on their properties.

Commissioner Jeffrey felt that the developer should be held responsible for repairing the streets that were destroyed at the time of construction. Taxpayers should not be responsible for repair costs. Contractors have always had a way of walking away from the repair of streets. Contractors should be forced to post bond. The repair costs should come out of that bond.

The matter was taken under advisement.

PUBLIC
HRG.—
Amend
Z.O. re:
sexually
oriented
businesses
in the City
of
Detroit:

A public hearing was held to consider a text amendment to the Zoning Ordinance, Chapter 61 of the 1984 Detroit City Code, regarding definitions, procedures and regulations related to sexually oriented businesses in the City of Detroit.

CPC staff member Rory Bolger reviewed the background information and the scope of the proposed amendment.

Over the past 12 years, the CPC has reviewed and recommended several Zoning Ordinance amendments related in whole or in part to sexually oriented businesses. Additionally, City Council has passed ordinances to amend Chapter 5 (Amusement) with regard to the licensing of sexually oriented businesses by the Consumer Affairs Department.

On June 11, 2004, City Council directed CPC staff to consider legislation for a moratorium on adult cabarets. At that time, Clarion Associates was under contract with the CPC for the revision of the Zoning Ordinance, and a member of the Clarion consulting team was Duncan Associates. Eric Kelly of Duncan Associates is a recognized expert in the field of regulations for sexually oriented businesses, and co-author with Connie Cooper of the American Planning Association publication, "Everything You Always Wanted to Know About Regulating Sex Businesses."

Dr. Kelly and Ms. Cooper conducted a study for the City of Detroit of sexually oriented businesses in the City, have reviewed court decisions, and considered the studies of other municipalities as part of a final report submitted to the City on January 24, 2005. City Council's Neighborhood and Community Services standing committee received the Duncan Associates report as part of a presentation on February 22, 2005 and directed CPC staff to coordinate an interdepartmental group toward codifying recommendations made in the report. The revisions to the City Code involve Chapter 5 (Amusements), Chapter 30 (Licensing), and Chapter 61 (Zoning).

The provisions of the amendment follow.

For bars that choose to drop their Group D adult cabaret license for adult entertainment in favor of a Group A cabaret license for dance and/or entertainment, excluding topless, the Buildings & Safety Engineering Department (B&SE) is authorized to issue a change of use permit from a non-conforming adult cabaret to a conforming cabaret on a by-right basis rather than processing the request as a conditional use. Public notice and a public hearing would not be required.

The definition of an adult supply store is expanded to clarify that where more than 10% of the material or store area is characterized by emphasis on matters depicting, describing or relating to specified sexual activities or specified anatomical areas, a business would be considered an adult supply store rather than a general retail store. Any store that advertises or holds itself out to the public as an adult supply store would be considered as such. The definition of the term, incidental, is expanded to clarify that amounts in excess of 10% would be considered substantial or significant. This provision would help clarify when just a retail store permit would be needed, for example, a video store that has a small inventory of X-rated videos in a small back room area, and when a permit for an adult supply store

would be needed. Since 1993, adult supply stores have been prohibited along typical business strips, where the zoning is usually B2, B3, or B4.

The term adult theater is changed to adult motion picture theater to clarify the distinction between establishments that show motion pictures of a sexually oriented nature and adult cabarets where live entertainment of a sexually oriented nature is presented. Adult motion picture arcades are specifically defined, are listed as a regulated use, and are regulated in the same manner as an adult motion picture theater.

Expeditious review and decision-making for First Amendment-sensitive uses is mandated.

The difference between presumption of abandonment and evidence of abandonment is clarified. Evidence of abandonment of a non-conforming use has been expanded to include non-renewal, denial, or revocation of a City license required by City Code for the operation of the use.

Mr. Bolger cited the results of a survey questionnaire conducted with video stores that carry X-rated materials. A copy of the method and findings were distributed to the Commissioners. Information was obtained from 33 operating stores. The findings indicate that of the 33, 22 stores carry X-rated titles; 11 do not. Of the 22 that do carry X-rated titles, 17 stores dedicate not more than 10% of the store area to X-rated titles; 5 stores dedicate more than 10%. Of the 22 that do carry X-rated titles, the X-rated inventory of the same 17 does not exceed 10%; the X-rated inventory of the same 5 stores does exceed 10%. Of the 5 stores whose X-rated area and inventory exceed 10%, 4 self-identify or advertise as "adult" stores.

Commissioner Glenn expressed concerns regarding the designation of 10% or less of spaces as incidental. He questioned as to where in the establishments the 10% or less space could be located. The City should not allow even 10%. The City does not have the personnel to police the 10% requirement. Ten percent could easily become 20% due to a lack of inspectors to monitor the establishments. They should not be allowed to locate throughout the City using the 10% or less figure.

Mr. Bolger responded that the 10% figure is not set in stone and the provision is a draft. The 10% figure comes up in a number of places in the Zoning Ordinance. Where something is not more than 10% of the business, the Buildings & Safety Engineering Dept. (B&SE) would consider that use as an incidental aspect rather than a principal aspect. The Clarion Ordinance, which became effective on May 28, 2005, actually put in the definition of incidental and uses the 10% figure to distinguish between something principal and incidental. The figure is used because of the convenience of it being recited elsewhere in the Zoning Ordinance and the acknowledgement by businesses that it is in line with what they are currently doing. Mr. Bolger provided examples of businesses with incidental uses, such as small cafés in grocery stores and stores selling firearms.

Commissioner Glenn noted that several stores with the 10% incidental use advertise directly in the adult entertainment newspapers. These stores do not care about the other 90% of their establishments. They should be regulated accordingly.

Commissioner Jeffrey inquired as to whether the Zoning Ordinance defines the location of the 10% incidental space. Many stores display their x-rated books in glass counters in prominent areas. They are not placed in the back in out of the way areas. Kids come into the stores and see the books lying in the cases. Regulations are needed to limit where these items can be displayed. Commissioner Christensen noted that $\frac{3}{4}$ of the book and magazine covers have to be covered.

Commissioner Jeffrey questioned whether the Group D adult cabarets that have downgraded to Group A cabarets could continue to operate as Group D adult cabarets. Mr. Bolger noted that legally they could not. If a business starts to operate in a way not authorized by its permit, the business would be subject to a blight violation from B&SE. Commissioner Jeffrey expressed concern that without benefit of public notice or hearing, the community may not be aware that a business is going to change. A business may say that it is going to stop operating in a certain way, but does not. As to monitoring, Mr. Bolger stated that the Police Department is the regulatory monitoring force of these types of establishments.

The following persons spoke at the public hearing.

Linda Thompson, Director of Community Relations, Detroit Rescue Ministries, 150 Stimson expressed concerns. In a letter dated September 8, 2005, Ms. Thompson noted that the Ministries serves addicted and homeless people, including women with children, teenage mothers, men and women in recovery from addictions, including those who had engaged in prostitution to pay for substances. The presence of businesses classed as retail stores because the volume of floor space devoted to explicitly sexually oriented materials is less than 10% is troublesome. In retail stores, children can access materials, and the fact that predators frequenting such stores will negatively impact them is well documented. The presence of adult supply stores and other businesses that provide sexually oriented "entertainment" is even more troubling. The impact of and correlation between drug use, sexually-oriented businesses, rape, and traumas are seen on a daily basis. Detroit Rescue Mission Ministries urged the City to be mindful of the impact of such activities on our communities, to restrict the permissibility of businesses providing such materials to small geographical areas that are isolated from treatment facilities, facilities serving women with children including schools, and residential programs, as well as residential neighborhoods. Detroit Rescue Mission Ministries further asked the City to carefully consider how such enterprises benefit the City. Quality of life and the increased police burdens indicate that such businesses should be allowed only to the extent mandated and not one bit more.

Ms. Thompson expressed concern regarding the figure and the word "incidental." Anything that could impact the City's community, neighborhood and children in a negative way could not be considered incidental. There are no guidelines as to what the stores can carry. The Ministries is in the business of rebuilding lives. Detroit is the poorest City in the country and will continue to be if these types of establishments are widespread through the community. Ms. Thompson felt that Detroit would not be able to attract new businesses or new residents. She inquired as to the rules, demographics and statistics in other cities in the tri-county area. As to what other cities are doing, Mr. Bolger noted that Duncan Associates looked at the provisions in other municipalities, and they are better reflected in licensing ordinances. The amendments being proposed today would not result in anything more permissive in terms of

definitions. Since 1993, the laws have defined an adult supply store as one with a substantial or significant amount of material related to specific anatomy. A party store, gas station, Dollar store, etc., carrying a certain amount of sexually oriented materials as part of its business would not necessarily be in violation of the law. The burden is on the City to demonstrate that the amount being carried is significant and substantial. The City wants to define significant and substantial.

Ms. Thompson cited the need to review the laws established in 1993 for possible changes.

Upon questioning, Ms. Thompson explained that she is concerned as to where these businesses are being placed, not that there shouldn't be any. These businesses should not be located near facilities with programs assisting people facing life challenges. This population is very vulnerable. These businesses present barriers to people who are trying to change their lives.

Michael B. Quinkert, Sr., 16711 Lahser Rd., representing MOSES expressed approval and support. The language changes bring Detroit's City ordinance up to prevailing standards used by other cities in America. It also provides clarity to businesses striving to comply with the Ordinance and provides for timely adjudication of non-compliance. Upon questioning, Mr. Quinkert noted that State law prohibits certain behaviors.

The matter was taken under advisement.

OLD BUS.--
Request of
Grand Van
Dyke LLC
to rezone
Area of
Whipple,
Van Dyke,
Gratiot and
Baldwin
from R2
and
B4 to B3:

Further consideration was given to the request of Grand Van Dyke LLC to rezone property generally bounded by Whipple, Van Dyke, Gratiot, and the alley east of Baldwin from R2 (Two Family Residential District) and B4 (General Business District) to B3 (General Shopping District) to allow for the development of a neighborhood shopping area.

CPC Deputy Director Marcus Loper reviewed the background information, concerns raised at the Commission's July 21, 2005 public hearing on this matter and the outcome of a follow-up meeting with the community and presented CPC staff's analysis. Concerns related to the configuration of the stores, the buffer wall, property maintenance and quality of retail.

The community meeting was held on Monday, August 22, 2005 at the Foodtown grocery store and attended by seven residents, two staff persons from Planning and Development Department, Councilmember Alberta Tinsley-Talabi and her husband, the developers and the store owner. Residents commented on various issues such as the proposed buffer wall, dumping, traffic, retail quality and property maintenance. The developers assured residents that the proposed development would be a properly maintained, family-oriented shopping center that would continue to deliver quality products and customer service to the community. The developers also considered the comments and suggestions from residents about landscaping the buffer wall. P&DD staff encouraged the developer to consider reconfiguring the layout of the shopping center so that it sits closer to Gratiot or Van Dyke. P&DD staff, developers, and residents discussed the pros and cons of the current proposed configuration of the store such as safety and parking. These are all issues that will be addressed in greater detail during the required site plan review process with the Planning and Development Department.

Some residents also raised concerns about job creation, the type of retail that would come to the center and whether or not it would be geared towards those with fixed-incomes in the community. Councilmember Tinsley-Talabi encouraged the store owner to hire community members and also encouraged residents to provide input for the types of retail that they would like to see at the shopping center.

Mr. Loper noted that P&DD has proposed an amendment to the Generalized Land Use Map in the Master Plan of Policies to show a change in the subject area from “RL”, Low Density Residential, to “GC”, General Commercial.

The majority of the properties within the subject area are vacant. The proposed rezoning would allow the retail development to expand as well as bring additional much needed retail into the area. The rezoning would not result in any non-conforming uses. Grocery stores, as well as many other retail uses, would be by-right uses in the B3 district.

The subject area is at the intersection of two major thoroughfares, Van Dyke and Gratiot, that would justify the development of the area into a neighborhood commercial center. The residential uses on the property are now gone and the restrictions contained in the new Zoning Ordinance, including the site plan review process, should help ensure that the uses in a new B3 district would not negatively impact the surrounding residential areas.

Overall, the comments of the residents have been in support of a well-maintained, quality, aesthetically pleasing shopping center for their community. The rezoning will create additional retail and employment opportunities for the community.

CPC staff recommended approval with the understanding that the Master Plan of Policies will be amended so that the generalized proposed land use designation for the subject area in the Master Plan will be consistent with the proposed development.

**ACTION: Commissioner Cason moved to accept the CPC staff recommendation.
Commissioner Jeffrey seconded the motion.
Motion carried.**

Councilwoman Alberta Tinsley-Talabi applauded the Commission for their hard work and recommendations. She noted her involvement in establishing the Gratiot Avenue Business Association and progress in improving the area.

NEW BUS.--
WSU
Evaluation
Contract:

Consideration was given to proposed contract Community Development Block Grant (CDBG) evaluation activities with Wayne State University (WSU) for 2005-2006.

City Council approved \$180,000 for the WSU evaluation contract as recommended by the City Planning Commission. WSU anticipates a carry-over of approximately \$4,000 from the 2004-2005 contract period.

CPC staff member Deborah Ferris summarized the proposed contract activities consisting of four components—site visit reports, the CDBG/NOF evaluation web site, affordable housing

and outcome measures. The proposed activities were outlined in CPC staff's September 2, 2005 memo to the Commission.

The affordable housing component consists of providing on-going technical assistance for housing related-activities, the creation of Standardized Residential Building Permit Analysis application, and analysis of property tax and property insurance cost burden.

Commissioner Jeffrey expressed support for the property insurance component, but not the property tax component. Citizens already know that the property taxes in Detroit are too high. Attention should be given to looking at the policies implemented by insurance companies to see what the adverse impact of those policies are on the citizens of Detroit. Attention should also be given to looking at how credit is worked in the City of Detroit vs. other cities.

Commissioner Jeffrey noted that at its height, the CDBG program represented approximately 3% of the overall City budget. For the past several years, CDBG funding for the community groups has been cut. The NOF program now represents about .2% of the overall City budget. The Commission is wasting the expertise, talent and resources of WSU in continuing to ask it to monitor the CDBG/NOF groups. Many of the CDBG/NOF groups only receive \$25,000. WSU should start looking at policy issues of the state, institutions, insurance companies, etc. that have a complete negative impact on the City. The Commission should start using WSU's resources to help the City formulate strategies and legislation that would help provide relief to the citizens of Detroit. Focusing attention on the NOF program is a waste of resources. The City is in a critical financial situation. If WSU is going to be paid \$180,000, they need to do more than just monitor NOF groups. The only groups that receive NOF funding are shelters or organizations providing emergency services. Most are struggling on \$20,000-\$30,000. The City has "squeezed out" all of the accountability it can from these organizations. The City has much larger problems than NOF. WSU should look at the bigger picture to help provide relief.

Commissioners Williams , Cason and Christensen agreed.

Discussion ensued on costs for the pilot studies.

The Commissioners agreed that WSU has done an excellent job in living up to the components of previous contracts.

Commissioner Williams felt that WSU no longer needed to continue studying and analyzing the NOF subrecipients. He also felt that there was no point in analyzing property taxes. The State can tell you that the citizens of Detroit pay more and get less for what they pay for. WSU could look at the concept of redlining. He questioned why the City is paying WSU to do conduct site visits. He suggested that the Citizen Review Committee conduct them. The City has been paying WSU to learn how to monitor the groups.

Ms. Ferris pointed out that conduction of the property tax study would show the variation in assessments of the houses in Detroit, and the impact. The City may find out that the burden of property tax is not what it thinks it is. Many houses are under assessed compared to other

cities. Once that information is known the City can then look at other policies. If the assessments are at the level where they belong, the tax rate could then be adjusted.

Commissioner Christensen agreed with Ms. Ferris

Commissioner Williams felt such information could be obtained from the real estate industry.

Commissioner Williams felt that WSU is not the right institution to conduct an analysis of property taxes.

The Commissioners agreed to change the focus of contract activities to the insurance study components.

Ms. Ferris emphasized that the Citizen Review Committee could not take over the responsibility of conducting site visits due to time constraints. Also, the CPC staff does not have the capacity to take over the volume of site visits conducted by WSU.

Commissioner Glenn again cited the need for the Commission to adopt a resolution expressing support for the placement of liens on properties ordered demolished by the City. The resolution should be passed on to City Council. Ms. Bruhn noted that City Council is still awaiting a satisfactory answer from the Law Department about going after demolition costs.

Commissioner Simons asked for an update on the lead abatement program.

Election
of
Officers:

The election of Chairperson and Vice Chairperson is scheduled for the September 22, 2005 CPC meeting.

Misc.

Commissioner Cason inquired as to whether New Orleans had an evacuation plan for its residents to escape the destruction of Hurricane Katrina. He questioned whether Detroit or other cities have an plan for evacuating the underclass, alienated and other vulnerable populations in emergency situations. He suggested scheduling a discussion on the subject at a future CPC meeting.

Adj.:

The meeting was adjourned at 8:00 PM.